

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAGWITCH L.L.C.,

Plaintiff, : Civil Action No. 08-2144 (LTS)

v.

AFFIDAVIT OF SERVICE

PUSSER'S INC., PUSSER'S LTD., PUSSER'S  
WEST INDIES LIMITED and CHARLES S.  
TOBIAS,

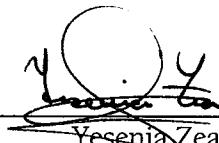
Defendants.

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

YESENIA ZEA, being duly sworn, hereby deposes and says:

1. I am over eighteen years of age, not a party to this action and reside in Queens, New York.
2. On April 3, 2008, I served a copy of the annexed PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO REMAND THIS ACTION FOR LACK OF SUBJECT MATTER JURISDICTION, by dispatching the same, enclosed in a securely sealed prepaid envelope, with a provider of overnight delivery services which regularly accepts packages for overnight delivery to any address within the State of New York, prior to the overnight delivery service's latest deadline for overnight delivery, addressed as follows:

Gregory W. Gilliam, Esq.  
VENABLE LLP  
Attorneys for Defendants  
1270 Avenue of the Americas  
25<sup>th</sup> Floor  
New York, New York 10020



Yesenia Zea

Sworn to before me this  
4<sup>th</sup> day of April, 2008

Jill Teitel  
Notary Public

Jill H. Teitel  
Notary Public, State of New York  
Registration #02TE5069470  
Qualified in Kings County  
My Commission Expires Nov. 25, 2010